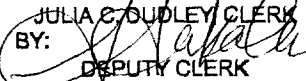


IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

SEP 04 2012

JULIA C. DUDLEY, CLERK
BY: 
DEPUTY CLERK

UNITED STATES OF AMERICA,) CASE NO. 7:08CR00054
)
v.) FINAL ORDER
)
WILLIAM A. WHITE,) By: James C. Turk
) Senior United States District Judge
Defendant.)

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

that the defendant's petition, which the court construed and docketed as a motion to vacate, set aside or correct the sentence, pursuant to 28 U.S.C. § 2255 (ECF No. 297), is **DISMISSED** without prejudice; his related motion for appointment of counsel (ECF No. 298) is **DENIED**; and this action is stricken from the active docket of the court. Based upon the court's finding that the defendant has not made the requisite showing of denial of a substantial right, a certificate of appealability, to the extent one is required to appeal, is **DENIED**.

ENTER: This 21st day of August, 2012.


Senior United States District Judge